

[COUNSEL LISTED ON SIGNATURE PAGE]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

E-FILED - 3/30/07

XOFT MICROTUBE, INC., a Delaware
corporation,

Plaintiff,

v.

CYTYC CORPORATION, a Delaware
corporation, and PROXIMA
THERAPEUTICS, INC., a Delaware
corporation,

Defendants.

AND RELATED COUNTERCLAIMS.

Case No. C 05-05312 RMW

**STIPULATION PURSUANT TO
CIVIL L.R. 6-2 AND []
ORDER TO EXTEND FILING
DEADLINE OF OPPOSITION AND
REPLY ON MOTION FOR
SUMMARY JUDGMENT BY ONE
WEEK**

Date: May 4, 2007

Time: 9:00 am

Room: Courtroom 6, 4th Floor

Judge: Hon. Ronald M. Whyte

1 WHEREAS, the Court on its own continued the hearing on Xoft's Motion for Summary
2 Judgment re U.S. Patent No. 6,413,204 (the "Motion," Doc. No. **84**) from April 20, 2007 to May
3 4, 2007 (Doc. No. **91**);

4 WHEREAS, the current deadline for Cytac's Opposition to that Motion is March 30, 2007
5 and for Xoft's Reply is April 6, 2007;

6 WHEREAS, counsel for the parties have conferred and agree that the deadline for filing the
7 Opposition and Reply briefs for the Motion should be extended by one week;

8 NOW THEREFORE, the parties, through their respective counsel of record, subject to the
9 approval of the Court, hereby stipulate, agree, and jointly apply to the Court for an Order in the
10 above-entitled action amending the briefing schedule as follows:

11 Cytac's Opposition to Xoft's Motion shall be due on or before April 6, 2007; and

12 Xoft's Reply to the Motion shall be due on or before April 13, 2007.

13 It is SO STIPULATED.

14 DATED: March 28, 2007

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24 and CYTYC SURGICAL PRODUCTS II, INC.

1 DATED: March 28, 2007

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17
18
19 Filer's Attestation: Pursuant to General Order No. 45, § X(B), I attest under penalty of
20 perjury that concurrence in the filing of the document has been obtained from each of its
21 signatories.

22
23 Dated: March 28, 2007

By: /s/Henry C. Su

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 3/30/07

Ronald M. Whyte

RONALD M. WHYTE
United States District Judge